

REMARKS/ARGUMENTS

In the Office Action mailed July 13, 2005, the Examiner has objected to the title of the invention as not being descriptive. By this paper, the title has been amended as kindly suggested by the Examiner. The Examiner has withdrawn Claims 1-10 from further consideration pursuant to 37 CFR §1.142(b), and has rejected Claims 11-13 and 18-20 under 35 USC §102(e) and rejected Claims 14-17 and 21-32 under 35 USC §103(a). By this paper, Claims 11, 15, 17, 20, 24, and 27 have been amended to more particularly point out that which the Applicants regard as the invention, and Claims 12-14 and 25 have been cancelled without prejudice. Accordingly, it is respectfully submitted that amended independent Claim 11, and Claims 15-24 and 26-32 dependent thereon, which are the claims remaining in this Application, are now allowable.

Claims 11-13 and 18-20 stand rejected under 35 USC §102(e) as being anticipated by Lyle et al. (US 2003/0154620 A1), and Claims 15-17 and 21-32 stand rejected under 35 USC §103(a) as being obvious over Lyle et al. in view of Böling (US 3,999,026) or Soulier (US 3,783,221). According to the Examiner, Lyle et al. show a device for heating print media with a microwave device, where the resonator is configured for power distribution that is preset and adjusted for each application requirement. Further, the Examiner contends that the Böling or Soulier references show microwave heating devices with various adjusting mechanisms, and the exact structure would be a matter of engineering expediency determined through routine experimentation.

However, the references do not show or in any way teach the specific power distribution as a function of position being divided substantially into three areas, two areas from the walls of the resonator to the middle, in which the power remains constant, and the area between them, which represents a curve having a curvature such that the power distribution is trapezoidal, and by the fact that the side steepness is adjusted or changed. Such specific limitation is now positively recited in the claims as amended. While the Applicants agree that the references show adjustable microwave heating devices, the contention that the exact structure would be a matter of engineering expediency determined through routine experimentation is respectfully traversed.

The specification of this Application fully discloses the specific power distribution configuration and adjustment as a function of position being divided substantially into three areas, two areas from the walls of the resonator to the middle, in which the power remains constant, and the area between them, which represents a curve having a curvature such that the power distribution is trapezoidal, and by the fact that the side steepness is adjusted or changed, and sets forth the non-obvious aspect of Applicants' particular invention as enabling efficient heating of print substance and/or toner under a variety of conditions. The references offer no teachings, individually or in any proper combination that would lead to the claimed power distribution configuration as a function of position being divided substantially into three areas, two areas from the walls of the resonator to the middle, in which the power remains constant, and the area between them, which represents a curve having a curvature such that the power distribution is trapezoidal, and by the fact that the side steepness is adjusted or changed, or offer any hint to experimentation that might reasonably lead to determination thereof.

Thus, it is respectfully submitted that the claimed power distribution and the adjustment thereof would not be obvious to one of ordinary skill in the art. Accordingly, amended independent Claim 11, and Claims 15-24 and 26-32 should now be allowed.

Applicants are not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 CFR §1.99.

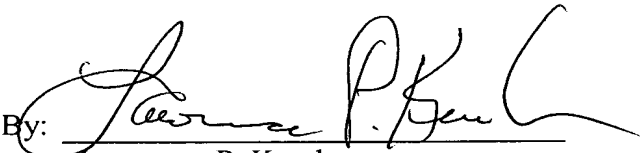
This Application is now believed to be in condition for favorable reconsideration and early allowance, and such actions are respectfully requested.

U.S. Application Serial No. 10/664,510 – Filed: September 17, 2003
Amendment Dated: September 21, 2005
Reply to Office Action Dated: July 13, 2005

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

A duplicate copy of this request is enclosed.

Respectfully submitted,

By: 
Lawrence P. Kessler
Registration No. 24,637

LPK:cvn
Attachment(s)
Telephone No. (585) 253-0123
Facsimile No. (585) 477-4646